

United States District Court

for

Middle District of Alabama

Request for Modifying the Conditions or Term of Supervision with Consent of the Offender

Name of Offender: Showers, George D.

Case Number: 1:06CR-254-CSC

Name of Sentencing Judicial Officer: Honorable Charles S. Coody, Chief U. S. Magistrate Judge

Date of Original Sentence: May 8, 2007

Original Offense: 18 U.S.C. 13- Operating Watercraft While Under the Influence of Alcohol

Original Sentence: One Year Probation

Type of Supervision: Probation

Date Supervision Commenced: May 8, 2007

PETITIONING THE COURT

[X] To extend the term of supervision for 6 months, for a total term of 18 months. []
To modify the conditions of supervision as follows:

The defendant's term of probation imposed on May 8, 2007, shall be extended for an additional term of 6 months, and shall expire on November 7, 2008.

CAUSE

Violation of a Special Condition which states, "You shall attend and successfully complete a DUI or substance abuse court referral program approved by the State of Alabama prior to the expiration of the term of supervision."

On April 1, 2008, the probation officer was contacted by Rhonda Bertsch from the South Central Alabama Mental Health Office located in Enterprise, Alabama. She advised that Showers will not complete the Intensive Outpatient Program as scheduled after testing positive for Opiates. Prior to beginning the Intensive Outpatient Program, Showers was advised of the facilities policy of no drug use, including prescription medication, while actively enrolled in the drug treatment program. He was instructed to bring a doctor's excuse to the facility in order to verify he was taking pain medication due to a hernia. He failed to submit the doctor's excuse and his drug treatment will be extended for an undetermined amount of time. Showers will be unable to complete treatment prior to expiration of probation.

RECOMMENDATION

It is respectfully recommended that the conditions of probation be extended as noted above. Shower's participation in the Court Referral Program will be monitored. Showers has a prescription for pain medication, however, he was advised that he must comply with the rules of the treatment program regarding the use of medication. The extension of probation for six months should allow Showers ample time to complete the drug treatment program. A Waiver of Hearing to Extend the Term of Probation signed by Showers is attached for the Courts review.

Executed on April 24, 2008.

/s/ Brad Brockett

Brad Brockett

United States Probation Officer

Reviewed & Approved:

/s/ Robert A. Pitcher

Robert A. Pitcher, Senior U.S. Probation Officer/OIC

THE COURT ORDERS:

- ☒ [X] The Extension of Supervision as Noted Above
- ☐ [] The Modification of Conditions as Noted Above
- ☐ [] No Action
- ☐ [] Other

Done this 25th day of April, 2008.

/s/Charles S. Coody

CHARLES S. COODY

CHIEF UNITED STATES MAGISTRATE JUDGE